

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

AMERINDO INVESTMENT ADVISORS INC.,  
AMERINDO INVESTMENT ADVISORS, INC.,  
AMERINDO ADVISORS UK LIMITED,  
AMERINDO MANAGEMENT INC.,  
AMERINDO TECHNOLOGY GROWTH FUND, INC.  
AMERINDO TECHNOLOGY GROWTH FUND II, INC.  
TECHNO RAQUIA, S.A.,  
ALBERTO W. VILAR, and  
GARY ALANTANAKA,

Defendants.

ECF Case

05 Civ. 5231 (LTS)(DFE)

~~[PLAINTIFF'S PROPOSED]~~ *jk*  
**ORDER DISCHARGING ROBERT N. KNUTS, ESQ.,  
AS MONITOR FOR  
AMERINDO INVESTMENT ADVISORS INC.**

WHEREAS, pursuant to an Order of this Court dated June 2, 2005, Robert Knuts, Esq., was appointed to serve as the monitor (the "Monitor") for Amerindo Investment Advisors Inc. ("Amerindo US") on the terms and conditions set forth therein;

WHEREAS, Mr. Knuts served as the Monitor of Amerindo US and submitted his report to the Court on December 9, 2005;

WHEREAS, pursuant to an Order of this Court dated January 3, 2006, the Department of Justice's motion to intervene and stay this proceeding was granted; and

WHEREAS, the Court desires that the status quo be maintained during the stay.

NOW, THEREFORE,

**I.**

**IT IS HEREBY ORDERED** that Robert Knuts, Esq., be, and hereby is, discharged from his duties as the Monitor of Amerindo US.

**II.**

**IT IS FURTHER ORDERED** that Amerindo US, and any person or entity acting at its direction or on its behalf, are restrained from destroying, altering, deleting or concealing any documents, including electronically stored information, in the possession, custody, or control of Amerindo US, its principals, agents, employees, servants, accountants, banks, and attorneys, that relate, directly or indirectly, to the allegations set forth in the Amended Complaint. This paragraph applies to all forms of information, including, but not limited to, information stored on computer memory or posted on, made available in, or sent or received through, electronic mail, the World Wide Web, Internet news groups, electronic bulletin board systems, online interactive conversational spaces or chat rooms, classified advertising sections of any online services, fax-back services, or in any other location accessible by modem communications.

**III.**

**IT IS FURTHER ORDERED** that Amerindo US, and any person or entity acting at its direction or on its behalf, provide no less than five (5) days prior written notice to the plaintiff Securities and Exchange Commission (the "Commission") prior to Amerindo US, and/or any person or entity acting at its direction or on its behalf, engaging in any of the following activities:


- A. acting as an "investment adviser" or providing "investment supervisory services" as such terms are defined in Section 202(a)(11) and (a)(13) of

the Investment Advisers Act of 1940, as amended, and the Rules and Regulations promulgated thereunder;

- B. purchasing or selling securities and/or commodity contracts on behalf of any client, or former client, of Amerindo US;
- C. providing instructions to transfer, deposit, or withdraw any securities or funds to or from any bank, brokerage, or other account that is in the name of, or beneficially owned by or controlled by, any client, or former client, of Amerindo US; and
- D. providing any investment advice to any client, or former client, of Amerindo US.

**IV**

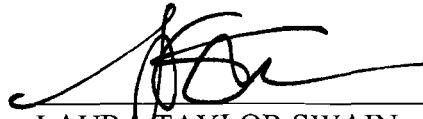
**IT IS FURTHER ORDERED** that Amerindo US, and its principals, officers, agents, employees and/or its attorneys, shall provide the Commission (attn: Mark D. Salzberg, Esq.) with prompt written notice upon the receipt of any written or oral communication from a person or entity who initiates contact with Amerindo US, its principals, officers, agents, employees and/or its attorneys, concerning a client account or investment, or any account or investment the person or entity believes may be a client account or investment, with or in Amerindo US, Amerindo Investment Advisors, Inc., Amerindo Advisors UK Limited, Amerindo Management Inc., Amerindo Technology Growth Fund, Inc., Amerindo Technology Growth Fund II, Inc., Techno Raquia, S.A., Alberto Vilar, or Gary Tanaka; provided however that Amerindo US, and its principals, officers, agents, employees and/or its attorneys shall not be obligated to advise the Commission of any communications that relate solely to Alberto Vilar's and/or Gary





Tanaka's preparations for the trial and defense of the criminal action United States v.  
Vilar, Action No. 05 Cr. 621 (KMK) (S.D.N.Y.).

Dated: 5 April 2006



LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE